

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT  
FOR THE VOLUNTARY PUBLIC ACCESS HABITAT INCENTIVE PROGRAM  
STATE OF TEXAS

BACKGROUND

The Secretary of the United States Department of Agriculture (USDA) was authorized by the Food Security Act of 1985, as amended, to implement the Voluntary Public Access and Habitat Incentive Program (VPA-HIP). The program provides grants to State and Tribal governments to encourage owners and operators of privately-held farm, ranch, and forest land to make land available for access by the public for wildlife-dependent recreation, including hunting, fishing, and other compatible recreation and to improve fish and wildlife habitat on their land. Administrative authority for the program initially was delegated to the Farm Service Agency (FSA) in 2008. FSA awarded a VPA-HIP grant to the State of Texas, through the Texas Parks and Wildlife Department (TPWD), in 2011, resulting in FSA preparing a Programmatic Environmental Assessment (EA) to meet the requirements of the National Environmental Policy Act of 1969 (NEPA). FSA issued a Finding of No Significant Impact (FONSI) for the Texas program in October of 2011.

Beginning in Fiscal Year (FY) 2014, the Secretary shifted the delegation of administrative authority for the VPA-HIP to the Natural Resources Conservation Service (NRCS). TPWD applied for and was awarded another VPA-HIP grant from NRCS in FY2014. Through the 2011 grant, the TPWD expanded their public access programs, referred to then as Walk-in Hunting (WIH); Private Lands Drawn Hunts (PLDH); and Waterway Access Easements (WAE), to provide more opportunities for hunting, fishing, trapping, wildlife watching, and other compatible wildlife related recreation. TPWD used grant funds to expand the hunting programs Statewide and to enroll more private lands than would otherwise have been possible, thereby maximizing the number of individuals able to use private lands for recreation. It also afforded more landowners an opportunity to receive payments for opening their lands for public recreation or water way access. The WIH and PLDH programs are now known as the Private Lands Hunting Access Program (PLHAP) and the WAE is known as the River Access and Conservation Area (RACA) program, but the types of activities conducted remain the same. As a result, NRCS is adopting the FSA 2011 Programmatic EA for the Voluntary Public Access Habitat Incentive Program for the State of Texas and supplementing it with additional information related to TPWD's proposed habitat improvement and water access activities and their potential effects.

NEED FOR ACTION

The need for the 2014 VPA-HIP grant in Texas remains the same as the 2011 grant. As stated in FSA's Final Programmatic EA, the purpose of the Proposed Action is to use VPA-HIP grant funds to increase public access and improve wildlife habitat on private farms, ranches, and forest land in the state of Texas. The need for the Proposed Action

is to increase the value realized by private landowners for wildlife populations inhabiting their property; increase the types and amounts of public access on qualified private land and public waterways; and promote necessary wildlife habitat restoration and improvement of watershed conditions on private properties.

TPWD currently provides public outdoor recreational opportunities, including hunting and fishing, on 55 State-owned or leased Wildlife Management Units and 45 State Parks totaling 965,608 acres. Over the past 10 years TPWD has lost access to 100,000 acres of industrial timberland formerly open to the public that was sold to private timber management investment companies. With more than 95 percent of the land in Texas privately-owned and the State's population expected to increase by a third over the next 15 years, the public's access to recreational land, especially land close to major urban areas where demand is greatest, is in increasingly short supply. Available private hunting leases are also expensive and becoming more difficult to find.

### PROPOSED ACTION AND ALTERNATIVES

#### Proposed Action:

The NRCS proposes to award the TPWD a \$2.25 million VPA-HIP grant to continue and expand the PLHAP and RACA. With most State-owned lands already open for public access, the agency's ability to expand the amount of low-cost outdoor recreational opportunities now centers on efforts to secure public access rights on private lands. TPWD's Wildlife Division currently leases over 38,263 acres of private land for small game hunting and recreational access at a cost of \$255,059 per year. One of the goals of this grant is to increase the amount of private lands available for small game hunting by 50 percent from 38,263 to 57,484 acres over the next three years.

TPWD also offers big game draw hunts through contracts with private landowners. These hunts, which include whitetail as well as mule deer and antelope, are very popular with hunters, but the lack of sufficient funding has limited additional big game public hunting opportunities. Similar to its goal for expanding small game hunting opportunities, TPWD plans to use VPA-HIP funding to increase the number of agreements with private landowners willing to provide big game hunting opportunities by 50 percent and to secure an additional 75 draw hunt opportunities on private land.

The final goal of 2014 VPA-HIP funding is to lease and develop at least 10 new public river access sites on private land. This will open currently inaccessible sections of public waterways for public fishing, paddling and wildlife viewing in exchange for rental and habitat restoration payments to private landowners.

To accomplish these goals, TPWD plans to use a portion of VPA-HIP funds to contract three additional National Wild Turkey Federation (NWTf) leasing biologists to assist TPWD's current one fulltime leasing biologist. The expanded staff will conduct outreach through a variety of methods including announcements on TPWD and NWTf websites; participation in events such as absentee landowner workshops in major urban areas,

urban *Life's Better Outside* expos; booths at rodeos, hunting/fishing shows, and partner events; and articles in FSA electronic county newsletters designed to reach absentee Conservation Reserve Program owners. All four biologists will be encouraged to interact with other conservation agency personnel such as NRCS and Ag Extension so that they can offer the best technical and financial assistance packages available for the conservation of soil and water resources and wildlife habitat enhancement. Contracts will be negotiated individually based on size, habitat quality, duration, species numbers and varieties present, proximity to urban centers, landowner need and willingness to implement necessary habitat improvements and other factors. Because most Texans currently live in major cities and many of them are actively seeking nearby outdoor recreational opportunities, VPA-HIP leasing specialists will continue to prioritize leasing land within 100 miles of urban centers and major interstate highway corridors.

#### No Action Alternative:

The No Action Alternative does not meet the need of the Proposed Action, but serves as a reference to illuminate the net difference in effects between those that will occur without NRCS action and those that will occur by implementing the proposed action. The No Action Alternative would result in the 2014 VPA-HIP project not being implemented in the State of Texas.

### ENVIRONMENTAL IMPACTS

This supplemental EA provides additional information about potential environmental impacts of expanding the Texas PLHAP and RACA. NRCS will rely on environmental review processes to be conducted by TPWD on each site that will identify the resources present and the potential effect of planned actions and provide for site-specific avoidance or other mitigation of adverse effects as described in the 2011 EA and required by NRCS policies.

#### Impacts of the Proposed Action:

A portion of VPA-HIP funds will be used to pay landowners for needed habitat improvements. These improvements may be on newly enrolled lands or on TPWD's other hunting and recreational access sites. NWTF biologists are expected to work closely with TPWD staff to assess the current habitat and negotiate lease payments based on the current quality of that habitat, diversity of game offered, and the length of lease, as well as the willingness of the landowner to improve or restore native habitat where needed. VPA-HIP funding will allow TPWD to lease additional land and offer higher rental payments to enroll quality existing habitat as well as work with landowners willing to implement necessary site-appropriate habitat restoration practices such as replanting native grasses, providing wildlife food sources, removing invasive species and protecting or enhancing wetlands and riparian areas. Practices such as shredding, disking and planting food plots on multi-year leases will be encouraged in exchange for expanded cost share payments.

TPWD has indicated that the types of habitat restoration or enhancement activities likely to be funded with 2014 VPA-HIP funds, including those related to providing water access, include bank stabilization (using natural stream dynamics and channel design concepts), native riparian plant restoration, upland habitat management (e.g., use of porous paving surfaces, vegetative buffers, implementing proper livestock and/or wildlife management practices), and in-stream structural habitat improvements (e.g., engineered wood or rock complexes to enhance fish habitat), and/or landscaping with native plants. TPWD will work with partners to implement these best management practices in a manner that meets NRCS conservation practice standards (CPS). These activities are designed to reduce erosion, improve water quality, restore and preserve native plant communities, contribute to functional riparian zones, and support healthy in-stream habitats for fish and other aquatic resources. Construction of infrastructure improvements will also be supported through the program, such as providing designated parking areas, river access trails, and signage and kiosks that educate and inform visitors on habitat best management practices and recreational opportunities offered at the sites and to gather site usage data.

The primary NRCS conservation practice standards that could be used include the following:

- 314 – Brush Management
- 315 – Herbaceous Weed Control
- 327 – Conservation Cover
- 338 – Prescribed Burning
- 382 – Fence
- 390 – Riparian Herbaceous Cover
- 391 – Riparian Forest Buffer
- 393 – Filter Strip
- 394 – Firebreak
- 395 – Stream Habitat Improvement and Management
- 410 - Grade Stabilization Structure
- 412 – Grassed Waterway
- 472 – Access Control
- 490 – Tree/Shrub Site Preparation
- 550 – Range Planting
- 555 – Rock Barrier
- 560 – Access Road
- 561 – Heavy Use Area Protection
- 562 - Recreation Area Improvement
- 566 – Recreation Land Grading and Shaping
- 568 – Recreation Trail and Walkway
- 578 – Stream Crossing
- 580 – Streambank and Shoreline Protection
- 584 – Channel Bed Stabilization
- 612 – Tree/Shrub Establishment
- 643 – Restoration and Management of Rare or Declining Habitats

- 645 – Upland Wildlife Habitat Management
- 647 – Early successional Habitat Development/Management
- 649 – Structures for Wildlife
- 655 – Forest Trails and Landings
- 666 – Forest Stand Improvement

Each CPS contains information on the purpose of the practice and conditions where the practice is to be applied, and sets forth the minimum quality criteria that must be met during implementation. To illustrate the chain of expected direct, indirect, and cumulative effects of applying each national CPS, NRCS has developed network effects diagrams according to the standard for the land use on which it is intended to be applied. Copies of the network effects diagrams are available on the NRCS website at [http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/technical/cp/ncps/?cid=nrcs143\\_026849](http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/technical/cp/ncps/?cid=nrcs143_026849). The practice standards and specifications as modified for use in Texas are found at: [http://efotg.sc.egov.usda.gov/efotg\\_locator.aspx?map=US](http://efotg.sc.egov.usda.gov/efotg_locator.aspx?map=US). In order to access the standards: click on the state, county; select “Section IV” from the pick list, and then “Conservation Practices”. Practices are listed in alphabetical order.

The types of actions likely to be funded by TPWD with 2014 VPA-HIP funds are for the purpose of restoring healthy ecosystems and improving habitat on existing agricultural and non-industrial private forestland, fall within existing NRCS NEPA categorical exclusions. Specifically, the majority of projects will fall in one or more of the following categories of actions NRCS has found to have no individual or cumulative significant effect on the human environment:

- Planting appropriate herbaceous and woody vegetation, which does not include noxious weeds or invasive plants, on disturbed sites to restore and maintain the sites ecological functions and services;
- Restoring an ecosystem, fish and wildlife habitat, biotic community, or population of living resources to a determinable pre-impact condition;
- Undertaking minor agricultural practices to maintain and restore ecological conditions in floodplains after a natural disaster or on lands impacted by human alteration (e.g., mowing, haying, grazing, fencing, off stream watering facilities, and invasive species control that are undertaken when fish and wildlife are not breeding, nesting, rearing young, or during other sensitive timeframes).

The focus of the habitat improvements will be on promoting native species and conducting the management necessary to maintain a high level of plant biodiversity. Each site will be evaluated individually to establish appropriate management objectives. TPWD and NWTF personnel will determine what type of restoration or enhancement is possible based on existing land use, historical land cover, and soil types.

Based on the success of using the 2011 VPA-HIP funds to provide water way access, TPWD expects to acquire approximately 10 additional river access leases in both rural and urban landscapes with 2014 VPA-HIP funds. Improved riparian habitat management and informational kiosks placed at areas secured in rural landscapes will enable recreational visitors to learn how agricultural best management practices

contribute to healthy rivers and streams (e.g., vegetative buffers adjacent to row crops, riparian buffers, alternate water sources for livestock and preservation of springs and recharge features). Select urban river access sites will offer the opportunity to demonstrate and promote urban water quality best management practices used nearby such as riparian buffers, improved stormwater management techniques and natural channel design approaches to stream restoration recommended by a number of federal agencies.

The actions to be carried out with VPA-HIP funds are primarily for the purpose of improving ecosystem health and wildlife habitat and will occur on land that already has been disturbed. As a result, the majority of the management activities conducted through the program normally will have been planned such that they improve the condition of affected resources and avoid adverse effects on protected resources such as species listed under the Endangered Species Act (ESA) or properties eligible for listing under the National Historic Preservation Act (NHPA). However, in the event an action may affect an ESA-listed species or designated critical habitat, NRCS will designate TPWD as its non-federal representative to conduct informal ESA consultation and TPWD will incorporate into its plans any conservation measures that may result from that process. TPWD will not fund an action adversely affecting an ESA-protected species or designated critical habitat.

In addition, though NRCS does not expect projects will result in adverse effects to resources protected under the NHPA because projects primarily will be implemented on previously disturbed ground, TPWD will consult with the State Historic Preservation Officer to ensure impacts to protected resources do not occur. For Cultural Resources, all projects are subject to evaluation and approval by the NRCS State Archeologist, and will adhere to the TX401.21- Basic Cultural Resources Compliance Procedure for Texas NRCS found at: <http://efotg.sc.egov.usda.gov/treemenuFS.aspx>. In order to access the procedures: click on the state/county/Section II. From the pick list, select Special Environmental Concerns/Cultural Resources/NRCS State Policy and Procedures.

Any required project modifications will be discussed with the PLHAP or RACA participant and must be agreed to before the project can proceed. If the project cannot be modified to mitigate for the adverse action, the action will be abandoned.

By providing access to recreational areas and public waterways the public will become more educated about the importance of conservation and TPWD will be able to build support for conservation of wildlife and rivers and streams in years to come.

#### Impacts of the No Action Alternative:

Ninety five percent of land in Texas is in private ownership and there exists a huge public demand for access to land for outdoor recreational use. Under the No Action Alternative, the PLHAP will not have the capacity to further satisfy public demand with improved opportunities for the citizens of Texas or assist in the management of wildlife for private landowners.

The previous VPA-HIP program enrolled over 22,500 acres, with the majority of landowners signing multiyear leases. Currently, PLHAP is working with over 87 private landowners in Texas, with leased parcel size ranging from 24 to 2,000 acres. These leases are found in 45 counties, with the majority of the leases found in the most heavily populated central and eastern parts of the State.

If the Texas VPA-HIP is not implemented, the State of Texas will not expand the PLHAP public access campaigns to provide new and expanded opportunities for upland game hunting, fishing, boat access, and outdoor naturalist activities. The program currently leases over 38,263 acres for small game and provides 150 big game draw hunting opportunities, and public river recreational access sites. Expansion of the PLHAP and the associated expanded public use and necessary habitat improvement projects on an additional 20,000 acres would not occur. The planned 50 percent increase in small game leased acres and big game public draw hunting would not be realized and some existing leases could be lost without the additional funding. Associated improvements to wildlife habitat would not be carried out and the 10 new river access sites would not come to fruition. By not providing new river access sites, especially ones that are properly managed and maintained, opportunities for current and future generations of Texans to enjoy rivers and streams will be lost. Persons who cannot access and enjoy the benefits of rivers and streams often fail to understand why conservation of these waterways is so important and as a result, the quality of these waterways is likely to decline.

#### AGENCIES AND PERSONS CONSULTED

Matthew R. Judy                      USDA, NRCS, Central National Technical Support Center  
Senior Ecologist

Andree DuVarney                  USDA, NRCS, Ecological Sciences Division  
National Environmental Coordinator

Chuck Kowaleski                  Texas Parks and Wildlife Department  
Farm Bill Coordinator

Omar Bocanegra                  US Fish and Wildlife Service, Arlington Field Office  
Endangered Species Biologist

Russell Castro                      USDA, NRCS Texas State Office  
State Biologist

Al Leal                                  USDA, NRCS Texas State Office  
Acting State Resource Conservationist